

(d) CRIMINAL PENALTIES.—Any person who willfully violates this section shall be punished as provided in section 2120 of title 18, United States Code.

#### SEC. 5. ATTORNEY GENERAL REPORTING REQUIREMENTS.

Beginning with the first year after the date of enactment of this Act, the Attorney General shall include in the report of the Attorney General to Congress on the business of the Department of Justice prepared pursuant to section 522 of title 28, United States Code, an accounting, on a district by district basis, of the following with respect to all actions taken by the Department of Justice that involve organized retail theft (as punishable under section 2120 of title 18, United States Code, as added by this Act), including—

- (1) the number of open investigations;
- (2) the number of cases referred by the United States Customs Service;
- (3) the number of cases referred by other agencies or sources; and
- (4) the number and outcome, including settlements, sentences, recoveries, and penalties, of all prosecutions brought under section 2120 of title 18, United States Code.

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 208—EXPRESSING THE SENSE OF THE SENATE IN SUPPORT OF IMPROVING AMERICAN DEFENSES AGAINST THE SPREAD OF INFECTIOUS DISEASES

Mr. AKAKA submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 208

Whereas the Central Intelligence Agency's January 2000 National Intelligence Estimate (NIE), The Global Infectious Disease Threat and Its Implications for the United States, found that infectious diseases are a leading cause of death worldwide and that "New and reemerging infectious diseases will pose a rising global health threat and will complicate U.S. and global security over the next 20 years";

Whereas the World Health Organization estimates that infectious diseases accounted for more than 11,000,000 deaths in 2001;

Whereas the NIE observed the number of infectious diseases related deaths within the United States had increased, having doubled to 170,000 since 1980;

Whereas the General Accounting Office noted in its August 2001 report, Global Health: Challenges in Improving Infectious Disease Surveillance Systems, that most of the infectious disease deaths occur in the developing world, but that infectious diseases pose a threat to people in all parts of the world because diseases know no boundaries;

Whereas the NIE remarked that the increase in international air travel and trade will "dramatically increase the prospects," that infectious diseases will "spread quickly around the globe, often in less time than the incubation period of most diseases";

Whereas, the NIE commented that many infectious diseases, like the West Nile virus, come from outside U.S. borders and are introduced by international travelers, immigrants, returning U.S. military personnel, or imported animals or foodstuffs;

Whereas diseases coming from overseas such as Acquired Immune Deficiency Syndrome (AIDS), Severe Acute Respiratory Syndrome (SARS), and West Nile virus have

had or could have a serious impact on the health and welfare of the U.S. population;

Whereas the NIE found that war, natural disasters, economic collapse, and human complacency around the world are causing a breakdown in health care delivery and helping the emergence or reemergence of infectious diseases;

Whereas, the danger of an outbreak of a deadly disease overseas affecting the United States is increasing;

Whereas the rapid and easy transport of diseases to the United States underscores that Americans are now part of a global public health system;

Whereas the General Accounting Office emphasized that "disease surveillance provides national and international public health authorities with information they need to plan and manage to control these diseases";

Whereas the early warning of a disease outbreak is key to its identification, the quick application of countermeasures and the development of cures;

Whereas the United States should strengthen its ability to detect foreign diseases before such diseases reach U.S. borders;

Whereas the G-8 group of industrialized countries at the 2003 Evian summit made a commitment to fight against AIDS, tuberculosis, and malaria; encouraged research into diseases affecting mostly developing countries; committed to working closely with the World Health Organization; and recognized that the spread of SARS "demonstrates the importance of global collaboration, including global disease surveillance, laboratory, diagnostic and research efforts, and prevention, care, and treatment";

Whereas the Centers for Disease Control and Prevention (CDC) plays an important role in foreign disease surveillance, and a key CDC program to strengthen global disease surveillance is its training of foreign specialists in modern epidemiology through its Field Epidemiology Training Programs (FETPs);

Whereas the CDC's FETPs have existed for almost 20 years working with ministries of health around the world and the World Health Organization, and that currently FETPs are in 30 countries throughout the world to support disease detection and provide an essential link in global surveillance; and

Whereas the work of the FETPs is critical to establishing a first line of defense overseas to protect the health of American citizens: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) the Centers for Disease Control and Prevention's Field Epidemiology Training Programs and related epidemic services and global surveillance programs should receive full support;

(2) the President should require an annual National Intelligence Estimate on the global infectious disease threat and its implications for the United States;

(3) the President should propose to the G-8 that the G-8 develop and implement a program to train foreign epidemiological specialists in the developing world; and

(4) the international community should increase funding for the World Health Organization's global disease surveillance capability.

Mr. AKAKA. Mr. President, I rise to submit a sense of the Senate resolution that the Senate supports improving American defenses against the spread of infectious diseases from abroad. The United States and other nations have a serious global problem in confronting the natural outbreak or deliberate

spread of infectious diseases. The Central Intelligence Agency's January 2000 National Intelligence Estimate, NIE, The Global Infectious Disease Threat and Its Implications for the United States found that infectious diseases are a leading cause of death worldwide and that "New and reemerging infectious diseases will pose a rising global health threat and will complicate U.S. and global security over the next 20 years."

I have been concerned about the bioterrorist threat to this country for some time. In 2001, as chairman of the Senate Governmental Affairs Subcommittee on International Security, Proliferation, and Federal Services, I chaired hearings that addressed the Nation's preparedness to respond to a bioterrorist attack. Sadly, the SARS outbreak demonstrated that naturally occurring diseases can be spread extraordinarily quickly through international air travel. This raises questions over our Nation's ability to counter a bioterrorist attack and protect our public health in general. Preparations that organize our health care network against a naturally occurring disease outbreak can also help guard Americans against a bioterrorist attack. Our first line of defense must be pushed beyond the borders of the United States to countries overseas. We should help stop the spread of a disease at its source before tens or hundreds of air-travelers inadvertently spread it around the globe.

The World Health Organization, WHO, World Health Report 2002 estimates that infectious diseases accounted for more than 11 million deaths in 2001. Most of these infectious disease deaths occurred in the developing world, where they imposed a terrible burden on societies whose public health systems were already stretched beyond their limits. Infectious diseases, however, pose a threat to people in all parts of the world. Diseases easily spread beyond national borders.

The NIE noted that many infectious diseases come from outside U.S. borders and are introduced by international travelers, immigrants, returning U.S. military personnel, or imported animals or foodstuffs. The report states the increase in international air travel and trade will "dramatically increase the prospects," that infectious diseases will "spread quickly around the globe, often in less time than the incubation period of most diseases."

Diseases that originated overseas, such as HIV/AIDS, have had a serious impact on the health and welfare of U.S. population. For example, according to the Centers for Disease Control and Prevention, CDC, since the beginning of the HIV/AIDS epidemic, there have been almost 450,000 deaths. There are an estimated 800,000 to 900,000 people currently living with human immunodeficiency virus in the United States with approximately 40,000 new human immunodeficiency virus infections occurring in the U.S. every year.

SARS and the West Nile virus have also had an impact in the United States.

The danger of an outbreak of a deadly disease overseas affecting the United States is increasing. The NIE found that war, natural disasters, economic collapse, and human complacency around the world are causing a breakdown in health care delivery and helping the emergence or reemergence of infectious diseases.

To be forewarned is to be forearmed. The early warning of a disease outbreak is key to its identification; the quick application of countermeasures; and the development of cures. The General Accounting Office, GAO, noted in its August 2001 report, *Global Health: Challenges in Improving Infectious Disease Surveillance Systems*, that "disease surveillance provides national and international public health authorities with information they need to plan and manage to control these diseases."

The next disease to strike the United States, like SARS, may be an unrecognized pathogen. As of July 2003, the SARS virus has sickened more than 8,000 people, including over 35 in the United States. The disease has killed more than 800 since the outbreak began in southern China, and has had severe economic repercussions in the countries beset by the outbreak. Although the disease appears to be under control for the moment, many fear there will be resurgence of SARS in the fall when the general flu and cold season begins. We have to do a better job next time, and by helping others we will help ourselves to do so. We need to strengthen our ability to detect foreign diseases before they cross our borders. The CDC has played a significant role in foreign disease surveillance for many years. Its Field Epidemiology Training Programs is an important program that strengthens global disease surveillance by training foreign specialists in modern epidemiology. FETPs have existed for almost 20 years and involve working with ministries of health around the world and the World Health Organization. Currently FETPs are in 30 countries throughout the world, supporting disease detection efforts and providing an essential link in global surveillance. The work of the FETPs is critical to establishing a first line of defense overseas to protect the health of local populations and of American citizens from the spread of deadly infectious diseases. This work is more timely and necessary than ever. As Dr. James Hughes, Director of the National Center for Infectious Diseases at the CDC told the Governmental Affairs Committee's Permanent Subcommittee on Investigations on July 30th, the lessons learned from the SARS outbreak show, "The SARS experience reinforces the importance of global surveillance," as well as having prompt reporting and a strong laboratory capability.

We need to ensure that the CDC work in this area, which is at times heroic,

is given the funding it requires. We also need to keep this question prominently on our national agenda. We need attention focused on infectious diseases on an annual basis. We need to understand better the political and economic implications of the spread of infectious diseases for foreign countries and the United States, and we need to know what are likely future trends depending on the level of intervention to address this problem. I suggest that a NIE on infectious diseases should be produced each year so that we have a comprehensive analysis of worldwide infectious disease and health developments.

The G-8 group of leading industrialized nations is playing a role on global health issues. At the 2003 Evian summit, the G-8 made a commitment to fight against the so-called big three diseases of AIDS, tuberculosis, and malaria. But the G-8 recognized the spread of SARS demonstrated "the importance of global collaboration, including global disease surveillance." These words need to be backed by vigorous, coordinated actions. I urge the President to work with the G-8 to create regional FETP programs so that every part of the world can be covered by a strong public health disease surveillance system.

Moreover, we should support the World Health Organization, whose work provides a critical underpinning to the efforts of the global public health community. The World Health Organization's regular budget has been more or less flat since the mid-1990s in nominal terms, around \$420 million a year. In real terms, some estimate this means it has been reduced by 25 percent or more. WHO receives additional extra budgetary funding of several hundred million dollars a year. But most of this is project specific and does not directly support the basic public health activities of WHO and is not a substitute for funding core WHO activities. WHO global surveillance activities have been built with very modest extra budgetary contributions on top of a modest amount of core resources. But WHO's global disease surveillance work is underfunded and is being conducted in an overall context of declining real WHO core funding.

The rapid and easy transport of diseases to and throughout the United States underscores that Americans are now part of a global public health system. I have been impressed by the commendable effort that the Bill and Melinda Gates Foundation has made to improve health in the developing world. The foundation has spent over \$3 billion for this goal. Such visionary leadership should not only exist in the world of philanthropy. This country should take a stronger lead in improving public health and disease surveillance systems overseas.

# SENATE RESOLUTION 209—RECOGNIZING AND HONORING WOODSTOCK, VERMONT, NATIVE HIRAM POWERS FOR HIS EXTRAORDINARY AND ENDURING CONTRIBUTIONS TO AMERICAN SCULPTURE

Mr. JEFFORDS (for himself, Mr. LEAHY, Mr. WARNER, Ms. STABENOW, and Mr. DODD) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 209

Whereas Hiram Powers is one of the pre-eminent artists in American sculpture;

Whereas Hiram Powers, in the words of the director and curator of the Houston Museum of Fine Arts, was the artist who "put American sculpture on the map," gaining international fame and providing unprecedented support for the notion of the United States as a country capable of producing artists equal to or better than their international counterparts;

Whereas Powers' 1844 sculpture "Greek Slave" became, in the words of Powers biographer Richard Wunder, "a telling symbol" of freedom for Americans in the pre-Civil War years and remains unequaled in popularity among American sculptures;

Whereas Powers' bust of President Andrew Jackson is widely considered the finest portrait ever sculpted of the president, as well as one of the noblest examples of portraiture ever created by an American sculptor;

Whereas the Congress of the United States, in recognition of Powers' extraordinary talents, awarded him commissions to execute the statues of John Marshall, Benjamin Franklin, and Thomas Jefferson that stand today in the United States Capitol;

Whereas Powers preserved through his sculpture the memory of numerous other great Americans, including George Washington, John Quincy Adams, Daniel Webster, John C. Calhoun, Martin Van Buren, and Henry Wadsworth Longfellow;

Whereas Powers was born in 1805 in Woodstock, Vermont, and happily spent his early years in that town;

Whereas throughout his life, Powers held sacred the memories of his childhood in Woodstock and drew upon these memories as inspiration for his work, saying, "dreams often take me back to Woodstock and set me down upon the green hills"; and

Whereas the citizens of Woodstock, Vermont, are preparing to celebrate the bicentennial of Hiram Powers' birth with exhibits, symposiums, and other commemorative activities: Now, therefore, be it

*Resolved*, That the Senate recognizes and honors Woodstock, Vermont, native Hiram Powers for his extraordinary and enduring contributions to American sculpture.

Mr. JEFFORDS. Mr. President, I rise to submit a resolution honoring Hiram Powers, a 19th Century American sculptor. He was born in Woodstock, VT in 1805 and chose a career in sculpting that bolstered the image of the United States in the world of art.

I invite all of my colleagues to join me in this effort by cosponsoring this resolution.

I realize many people have never head of Hiram Powers, but we have all seen his work. Just outside the Senate Chamber's doors, stands an 8-foot-tall marble statue of Benjamin Franklin. Hiram Powers made the statue in 1862.

On the House side, stands a similar statue of Thomas Jefferson. Hiram

Powers also made that statue. In the Old Supreme Court Chamber, sits the bust of one of the Supreme Court's greatest Chief Justices, John Marshall, yes, Hiram Powers made that one too.

In fact, in 1836, when Congress passed a resolution calling for the creation of a marble bust for John Marshall, Congress wanted it to be prepared by "an artist of merit and reputation." Congress decided that Hiram Powers was that artist.

His work is not limited to the U.S. Capitol. He also created a bust of Andrew Jackson for the White House. This work is widely considered one of the noblest examples of portraiture ever created by an American sculptor.

Perhaps his most well known work is not of a famous historical figure, but a symbol representing the most tragic episode in our country's history.

In the years prior to the Civil War, Hiram Powers was an outspoken abolitionist, and in 1844 he created his first rendition of the "Greek Slave," a neoclassical statue of a young woman wearing contemporary American manacles. This work can be seen in the Corcoran Gallery of Art.

Congress paid Hiram Powers a commission for the works he created over 160 years ago. I believe it is now time for Congress to thank Hiram Powers, an artist of merit and reputation, for his work that continues to inspire us to this day, and for generations to come.

Mr. President, I encourage all of my colleagues to join me in cosponsoring this resolution that I send to the desk.

**SENATE RESOLUTION 210—EXPRESSING THE SENSE OF THE SENATE THAT SUPPORTING A BALANCE BETWEEN WORK AND PERSONAL LIFE IS IN THE BEST INTEREST OF NATIONAL WORKER PRODUCTIVITY, AND THAT THE PRESIDENT SHOULD ISSUE A PROCLAMATION DESIGNATING OCTOBER AS "NATIONAL WORK AND FAMILY MONTH"**

Mr. HATCH (for himself, Mr. KENNEDY, Mr. DODD, and Mr. ALEXANDER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 210

Whereas the quality of workers' jobs and the supportiveness of their workplaces are key predictors of job productivity, job satisfaction, commitment to employers, and retention;

Whereas there is a clear link between work-family policies and lower absenteeism;

Whereas the more overworked employees feel, the more likely they are to report making mistakes, feel anger and resentment toward employers and coworkers, and look for a new job;

Whereas employees who feel overworked tend to feel less successful in their relationships with their spouses, children, and friends, and tend to neglect themselves, feel less healthy, and feel more stress;

Whereas 85 percent of U.S. wage and salaried workers have immediate, day-to-day family responsibilities off the job;

Whereas 46 percent of wage and salaried workers are parents with children under the

age of 18 who live with them at least half-time;

Whereas job flexibility allows parents to be more involved in their children's lives, and parental involvement is associated with children's higher achievement in language and mathematics, improved behavior, greater academic persistence, and lower dropout rates;

Whereas a lack of job flexibility for working parents negatively affects children's health in ways that range from children being unable to make needed doctors' appointments, to children receiving inadequate early care, leading to more severe and prolonged illness;

Whereas nearly one out of every four Americans—over 45 million Americans—provided or arranged care for a family member or friend in the past year;

Whereas nearly all working adults are concerned about spending more time with their immediate family; and

Whereas as an increasing number of baby boomers reach retirement age in record numbers, more and more Americans are faced with the challenge of caring for older parents: Now, therefore, be it

*Resolved*, That—

(1) it is the sense of the Senate that—

(A) reducing the conflict between work and family life should be a national priority; and

(B) the month of October should be designated as "National Work and Family Month"; and

(2) the Senate requests that the President issue a proclamation calling upon the people of the United States to observe "National Work and Family Month" with appropriate ceremonies and activities.

Mr. HATCH. Mr. President, I rise today in support of S. Res. 210, which would proclaim the month of October as "National Work and Family Month."

In Congress, we talk a lot about the importance of productivity in the workplace. We've all heard it many times: When workers are more productive, their wages and their living standards increase. American workers are just about the most productive in the world, and that's the reason we have the highest living standard of any large country. But this abstract idea we call productivity doesn't really capture what makes modern life so much more comfortable than life in the old days. And for most Americans, the days have gotten a lot nicer over the decades, and that includes the time that Americans spend at work.

In my lifetime, the workplace has changed so much that it is unrecognizable. Work in America is a lot less backbreaking than it used to be, it involves a lot more thinking and typing on average and a lot less lifting and hauling and welding and soldering. It involves a balance, a balance between business and personal activities, and between giving and receiving. That's a great thing. In just about every way imaginable, most Americans work in places that are far more family-friendly than in the past.

Flexible work schedules are becoming much more common, too. In 1985, just 14 percent of workers were on flexible schedules, but now 28 percent of workers are. Flexible schedules make it easier to balance work and

family. And the workweek is getting shorter, too. In 1890, the average workweek was 60 hours; by 1950 it was down to 40, and now it's down to 35 hours a week for factory workers.

The major reason for these changes is the constantly innovating free-market economy. As any employer can tell you, the competition for workers is usually just as cutthroat as the competition for customers. Very few employees in the U.S. today would put up with 1950s style working conditions, let alone 1890s style work conditions. In most cases, if employers treat their workers wrong for very long, those workers will find something else to do with their time. Every day in every State across this Nation, people quit jobs they hate so they can look for something better. Stacks of business magazines extol the virtues of the worker-friendly, family friendly workplace, and study after study points out that in many cases, a family-friendly workplace more than pays for itself.

But in too many cases, our Nation's laws haven't kept up with changes in the real-world workplace. We have laws from an industrial era that have lagged far behind changes in the economy. And more importantly, our laws have lagged behind changes in people's personal lives. Yes, we've made some progress over the years, but there's still a lot to be done, such as in the areas of early childhood education and elder care, two areas that I have worked on in the past, and where I know we need to do more work in the future.

Today I'd like to focus on one area where we are on the cusp of making a lot more progress, and that is the area of flex time for America's workers. Right now, millions of employees in both the public and private sectors enjoy flexible work schedules. But our industrial-era laws completely shut millions of hourly wage-earners out of the world of flex-time. Over the last few Congresses, a number of proposals have been offered, by President Clinton, by President Bush, and by many members of Congress, to give hourly workers in the private sector the same job flexibility that government workers already enjoy.

Right now, federal law decrees that any hourly wage-earner who works more than forty hours per week must be paid overtime at time-and-one-half. But these rules, which I admit sound quite sensible at first, mean that hourly workers in the private sector can't have the "nine-nines" workweek that so many federal and state government employees take advantage of.

Under the nine-nines workweek, a worker works for nine hours per day for eight days, then works for eight hours on the ninth day, and then the worker can take every other Friday or every other Monday off as a holiday. This adds up to eighty hours over two weeks, but it turns every other weekend into a three-day weekend.

Millions of hourly wage-earners would love to be able to have this kind

of work schedule, but our industrial-age rules make it impossible for companies to do that without paying overtime wages. It's illegal. If we can amend Federal law to change the standard work period from forty hours every week to eighty hours every two weeks, that would be a great help to America's hourly workers. And it would make it easier for millions of workers to take more weekend trips with the kids, to make doctor's appointments without taking time off of work, and to just live a life that is a little bit less hectic. And that's what family-friendly business policies are all about.

Right now, we're seeing a fair amount of controversy over another family-friendly work proposal that goes by the name of comp-time legislation. This is another idea that has been around here for too long, and it's time for it to become law.

Comp time would allow workers who work overtime a choice: either they could receive overtime pay in the form of time-and-one-half in cash, or they could receive their pay as time-and-a-half in the form of paid time off. Ten hours of overtime this week could mean fifteen hours off next week, all of it paid time off. This would be unbelievably valuable for workers who would appreciate some extra time with their families. And despite some of the false claims made about comp time, the law would let unionized workers negotiate comp-time agreements through their unions, so it would completely respect worker's rights to organize.

As I said earlier, the flex-time and comp-time proposals would provide private sector employees the same opportunities that Federal employees currently have. These proposals would help husbands and wives balance the demands of work and family. This is the kind of legislation that Congress should be enacting to bring our laws into the 21st century. I keep hearing from working parents who struggle to balance the worlds of work and family, and I'm convinced that changing our industrial-era wages and hours laws will give them the flexibility they so desire.

I would like to say a little bit more about what Congress can do in the critical area of elder care. I come from a state with a large proportion of elderly citizens, and I know that this is an issue that weighs heavily on the minds of a lot of working families. Our society often overlooks the importance of caring for elderly parents, but I know how hard it is for a husband or a wife to concentrate on work when they have to be concerned about a frail parent. I've sponsored legislation to help our medical system help our nation's frail elderly. One of the major benefits of this kind of reform is that adult children won't have to live in fear of whether or not their parents will be cared for. The Medicare Improvements for Special Needs Beneficiaries Act,

which I introduced in the 107th Congress, would be a big help to elderly Americans who have complex, long-term care needs. And it would be a great relief to their adult children.

There is a joy in giving the gift of our skills at work, at giving ourselves to the task at hand so thoroughly that we accomplish a task and can say to ourselves, "well done." Fortunately, most working Americans also have the reassurance that they can draw a healthy line, a healthy boundary, between their family and their job, caring for both their loved ones and their work. The rise of flex-time in salaried jobs is a great example of this. When people are able to find a job where they can draw this line, we are happier and more content individuals. I hope that Congress can remove some of the legal barriers that stand between the American people and their ability to draw that line where they see fit.

For all of these reasons, I urge my colleagues to join with Senator KENNEDY and myself to bring attention to the need for a family-friendly work environment. I urge them to cosponsor this resolution. Our industrial-era labor laws and labor regulations are a barrier to a healthy work environment, and they need serious reform. As I said, I've been working on this along with my old friend Senator KENNEDY, and I'm also grateful to have the help of Senator DODD and Senator ALEXANDER. The four of us may not always see eye to eye on the precise way to help the private sector to build a family-friendly workplace, but I know we agree on the goal: A better life for American families.

Mr. KENNEDY. Mr. President, it is a privilege to join my colleagues, Senators HATCH, ALEXANDER and DODD, in introducing this Senate resolution to declare October National Work-Family Month.

Eighty-five percent of Americans have day-to-day family responsibilities. Many care for children, a spouse or partner, or another family member. As our population ages, an increasing number must care for their own parents. Numerous studies have shown that in addition to increased personal responsibilities, these hard-working men and women are also spending more and more time on the job putting in longer and longer hours. As a result, many employees suffer from burnout, fatigue, or even serious illness.

These concerns affect us all. Parents say their biggest daily challenge is balancing their work and their family responsibilities. It is clear that sick children recover more quickly when cared for by a parent. Senior citizens are relying more and more on their working adult children to care for them when they are ill. In fact, a study by the Kaiser Foundation in 2000 found that 34 percent of women and 24 percent of men say they have missed work as a result of caring for an aging parent.

The Family and Medical Leave Act has been a significant first step in deal-

ing with this issue but it is far from enough. The resolution to declare October National Work-Family Month will bring new attention to this important issue.

#### SENATE RESOLUTION 211—EX-PRESSING THE SENSE OF THE SENATE REGARDING THE TEMPORARY ENTRY PROVISIONS IN THE CHILE AND SINGAPORE FREE TRADE AGREEMENTS

Mr. SESSIONS (for himself, Mr. KYL, Mrs. FEINSTEIN, Mr. CRAIG, Mr. GRAHAM of South Carolina, Mr. CHAMBLISS, Mr. FEINGOLD, Mr. BYRD, Mr. DORGAN, Mr. KOHL, Mr. DAYTON, and Ms. MIKULSKI) submitted the following resolution, which was considered and agreed to:

##### S. RES. 211

Whereas the transmittal of the legislation implementing the Chile and Singapore Free Trade Agreements to the Senate on July 15, 2003, was preceded by debate over whether temporary entry provisions in both the underlying language of the Chile and Singapore Free Trade Agreements and in the implementing legislation should be included;

Whereas article I, section 8, clause 3 of the Constitution authorizes Congress "to regulate Commerce with foreign Nations, and among the several States", and article I, section 8, clause 4 of the Constitution provides that Congress shall have power to "establish a uniform Rule of Naturalization";

Whereas the Supreme Court has long interpreted these provisions of the Constitution to grant Congress plenary power over immigration policy;

Whereas members of the Senate often disagree about immigration policy, but agree that the formulation of immigration policy belongs to Congress; and

Whereas the practice of negotiating temporary entry provisions in the context of bilateral or multilateral trade agreements curtails the ability of Congress to regulate the Nation's immigration policies, including the admission of foreign nationals: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) trade agreements are not the appropriate vehicle for enacting immigration-related laws or modifying current immigration policy; and

(2) future trade agreements to which the United States is a party and the legislation implementing the agreements should not contain immigration-related provisions.

#### SENATE RESOLUTION 212—WELCOMING HIS HOLINESS THE FOURTEENTH DALAI LAMA AND RECOGNIZING HIS COMMITMENT TO NON-VIOLENCE, HUMAN RIGHTS, FREEDOM, AND DEMOCRACY

Mrs. FEINSTEIN (for herself, Mr. BROWNBAC, and Mr. BIDEN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

##### S. RES. 212

Whereas for over 40 years in exile, His Holiness the Fourteenth Dalai Lama has used his position and leadership to promote compassion and non-violence as a solution to not only the present crisis in Tibet, but to other long-running conflicts around the world;

Whereas the Dalai Lama was awarded the Nobel Peace Prize in 1989 in recognition of his efforts to seek a peaceful resolution to the situation in Tibet, and to promote non-violent methods for resolving conflict;

Whereas the Dalai Lama has been strong voice for the basic human rights of all peoples, particularly freedom of religion;

Whereas the Dalai Lama has personally promoted democratic self-government for Tibetans in exile as a model for securing freedom for all Tibet, including relinquishing his political positions and turning these authorities over to elected Tibetan representatives;

Whereas the Dalai Lama seeks a solution for Tibet that provides genuine autonomy for the Tibetan people and does not call for independence and separation from the People's Republic of China;

Whereas the envoys of the Dalai Lama have traveled to China and Tibet twice in the past year to begin discussions with Chinese authorities on a permanent negotiated settlement of the Tibet issue;

Whereas the successful advancement of these discussions is in the strong interest of both the Chinese and Tibetan people; and

Whereas it is the policy of the United States to support substantive dialogue between the Government of the People's Republic of China and the Dalai Lama or his representatives: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) the visit of the Dalai Lama to the United States in September 2003 is warmly welcomed;

(2) the Dalai Lama should be recognized and congratulated for his consistent efforts to promote dialogue to peacefully resolve the Tibet issue and to increase the religious and cultural autonomy of the Tibetan people; and

(3) all parties to the current discussions should be encouraged by the Government of the United States to deepen these contacts in order to achieve the aspirations of the people of Tibet for genuine autonomy and basic human rights.

#### SENATE RESOLUTION 213—DESIGNATING AUGUST 2003, AS "NATIONAL MISSING ADULT AWARENESS MONTH"

Mrs. LINCOLN (for herself, Mr. KENNEDY, and Mr. EDWARDS) submitted the following resolution; which was considered and agreed to:

S. RES. 213

Whereas our Nation must acknowledge that missing adults are a growing group of victims, who range in age from young adults to senior citizens and reach across all lifestyles;

Whereas every missing adult has the right to be searched for and to be remembered, regardless of the adult's age;

Whereas our world does not suddenly become a safe haven when an individual becomes an adult;

Whereas there are tens of thousands of endangered or involuntarily missing adults over the age of 17 in our Nation, and daily, more victims are reported missing;

Whereas the majority of missing adults are unrecognized and unrepresented;

Whereas our Nation must become aware that there are endangered and involuntarily missing adults, and each one of these individuals is worthy of recognition and deserving of a diligent search and thorough investigation;

Whereas every missing adult is someone's beloved grandparent, parent, child, sibling, or dearest friend;

Whereas families, law enforcement agencies, communities, and States should unite to offer much needed support and to provide a strong voice for the endangered and involuntarily missing adults of our Nation;

Whereas we must support and encourage the citizens of our Nation to continue with efforts to awaken our Nation's awareness to the plight of our missing adults;

Whereas we must improve and promote reporting procedures involving missing adults and unidentified deceased persons; and

Whereas our Nation's awareness, acknowledgment, and support of missing adults, and encouragement of efforts to continue our search for these adults, must continue from this day forward: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates August 2003, as "National Missing Adult Awareness Month"; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe the month with appropriate ceremonies and activities.

#### SENATE RESOLUTION 214—CONGRATULATING LANCE ARMSTRONG FOR WINNING THE 2003 TOUR DE FRANCE

Mrs. HUTCHISON (for herself, Mr. CORNYN, Ms. SNOWE, Mr. BROWNBACK, Mr. CHAMBLISS, Mr. BOND, Ms. COLLINS, Mr. ENSIGN, Mr. DASCHLE, Mr. NICKLES, Mr. LAUTENBERG, Mr. BIDEN, Mr. INOUE, Mrs. CLINTON, Mr. ALLARD, Mrs. MURRAY, Mr. DORGAN, Mr. WYDEN, and Mr. PRYOR) submitted the following resolution; which was considered and agreed to:

S. RES. 214

Whereas Lance Armstrong won the 2003 Tour de France, the 100th anniversary of the race, by completing the 2,125-mile, 23-day course in 83 hours, 41 minutes, and 12 seconds, finishing 1 minute and 1 second ahead of his nearest competitor;

Whereas Lance Armstrong's win on July 27, 2003, marks his fifth Tour de France victory;

Whereas, with this victory, Lance Armstrong joined Miguel Indurain as the only riders in history to win cycling's most prestigious race in 5 consecutive years;

Whereas Lance Armstrong displayed incredible perseverance, determination, and leadership in prevailing over the mountainous terrain of the Alps and Pyrenees and in overcoming crashes, illness, hard-charging rivals, and driving rain on the way to winning the premier cycling event in the world;

Whereas, in 1997, Lance Armstrong defeated choriocarcinoma, an aggressive form of testicular cancer that had spread throughout his abdomen, lungs, and brain, and after treatment has remained cancer-free for the past 6 years;

Whereas Lance Armstrong is the first cancer survivor to win the Tour de France;

Whereas Lance Armstrong's courage and resolution to overcome cancer has made him a role model to cancer patients and their loved ones, and his efforts through the Lance Armstrong Foundation have helped to advance cancer research, diagnosis, and treatment, and after-treatment services;

Whereas Lance Armstrong continues to be the face of cycling as a sport, a healthy fitness activity, and a pollution-free transportation alternative; and

Whereas Lance Armstrong's accomplishments as an athlete, teammate, cancer survivor, and advocate have made him an inspiration to millions of people around the world: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates Lance Armstrong and the United States Postal Service team on their historic victory in the 2003 Tour de France; and

(2) commends the unwavering commitment to cancer awareness and survivorship demonstrated by Lance Armstrong.

SEC. 2. The Secretary of the Senate shall transmit an enrolled copy of this resolution to Lance Armstrong.

#### SENATE RESOLUTION 215—TO AUTHORIZE REPRESENTATION BY THE SENATE LEGAL COUNSEL IN THE CASE OF WAGNER V. UNITED STATES SENATE COMMITTEE ON THE JUDICIARY, ET AL

Mr. FRIST (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 215

Whereas, the United States Senate Committee on the Judiciary and Senator Orrin G. Hatch have been named as defendants in the case of Wagner v. United States Senate Committee on the Judiciary, et al., No. 1:03CV01225 (RMU), pending in the United States District Court for the District of Columbia.

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend in civil actions Committees of the Senate, and Members of the Senate relating to the Members' official responsibilities: Now therefore, be it

*Resolved*, That the Senate Legal Counsel is authorized to represent the United States Senate Committee on the Judiciary and Senator Orrin G. Hatch in the case of Wagner v. United States Senate Committee on the Judiciary, et al.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1436. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 14, to enhance the energy security of the United States, and for other purposes; which was ordered to lie on the table.

SA 1437. Mr. AKAKA submitted an amendment intended to be proposed by him to the bill S. 14, supra; which was ordered to lie on the table.

SA 1438. Mr. DAYTON (for himself and Mr. BOND) submitted an amendment intended to be proposed by him to the bill S. 14, supra; which was ordered to lie on the table.

SA 1439. Mr. WYDEN (for himself, Mr. BROWNBACK, and Mr. CRAIG) submitted an amendment intended to be proposed by him to the bill S. 14, supra; which was ordered to lie on the table.

SA 1440. Mr. WYDEN (for himself, Mr. SMITH, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 14, supra; which was ordered to lie on the table.

SA 1441. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 14, supra; which was ordered to lie on the table.

SA 1442. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 14, supra; which was ordered to lie on the table.

SA 1443. Mr. VOINOVICH submitted an amendment intended to be proposed by him to the bill S. 14, supra; which was ordered to lie on the table.